

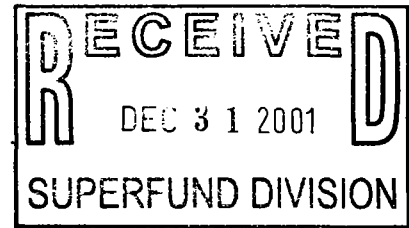


446669

December 18, 2001

*By Certified Mail
Return Receipt Requested*

U.S. Environmental Protection Agency
Deena Sheppard-Johnson, SR-6J
Remedial Enforcement Support Section
77 West Jackson Boulevard
Chicago, Illinois 60604



RE: Response to Information Request for Chemical Recovery Systems Site, Elyria, Ohio

Dear Ms. Sheppard-Johnson:

Enclosed please find the response of Berenfield Containers, Inc., formerly known as Berenfield Steel Drum Co., (collectively "Berenfield"), to the above-captioned Request for Information received by Berenfield in mid November, 2001. This response is timely submitted as Berenfield received approval via email from Thomas Nash, Associate Regional Counsel, to extend the response deadline until December 28, 2001.

If you need any additional information from Berenfield, please give me a call.

Sincerely,

Andrew L. Kolesar

Enclosure

cc: L.H. Berenfield

Andrew.Kolesar@ThompsonHine.com Phone 513.352.6545 Fax 513.241.4771

**Berenfield Containers, Inc. Response to Request For Information
Chemical Recovery Systems Site, Elyria, Ohio**

This is the response of Berenfield Containers, Inc., formerly known as Berenfield Steel Drum Co. (collectively "Berenfield"), to the CERCLA § 104(e) Request for Information ("Request") for the Chemical Recovery Systems Site in Elyria, Ohio.

General Statement.

Berenfield has conducted a diligent search of its accounting and environmental records and interviewed relevant current employees. Based on the records search, Berenfield has found no information that would link Berenfield to the Chemical Recovery Systems Site located in Elyria, Ohio (the "Site").

Berenfield first received notice that the United States Environmental Protection Agency ("USEPA") had identified Berenfield as a potentially responsible party ("PRP") in a letter from USEPA dated November 9, 2001. In the November 9th letter, USEPA enclosed accounting records obtained from the Site that purportedly link Berenfield to the Site. The records reflect one transaction between some unidentified entity (presumably an entity related to the Site) and Berenfield. A "Purchases" ledger indicates that the entity apparently purchased something from Berenfield on December 27, 1977 for \$1,050. The transaction is also entered on the entity's balance sheets.

Berenfield is in the business of manufacturing new steel drums. Therefore, we would assume that the purchase involved a sale by Berenfield of new drums to the entity, although the purchase appears to be entered in the column "Scrap Sol. For Reclam." We have no evidence or recollection of selling scrap solvent to owners or operators of the Site. We suspect that the subject transaction was placed in the "Scrap Sol. for Reclam." column due to clerical error.

As noted above, we have no records or other information linking Berenfield to the Site. Thus, we have no information that explains the entries in the accounting records provided by USEPA.

Objections.

Berenfield objects to Instruction No. 6 of the Request as CERCLA does not contain a continuing obligation to supplement a response to a CERCLA § 104(e) information request. Nonetheless, without waiving that objection, Berenfield will attempt to supplement this response should additional information responsive to the Request be acquired.

Berenfield objects to Instruction No. 8 of the Request to the extent it requires interviews of former employees, agents, contractors or attorneys as there is no such obligation under CERCLA. Nonetheless, without waiving that objection, Berenfield states that it is not aware of any former employees, agents, contractors or attorneys with information linking Berenfield to the Site.

Berenfield objects to the use of the term “arrangements” in Question No. 7 as being overly broad. Nonetheless, without waiving that objection, Berenfield is providing a response to Question 7 based on the above-referenced record search conducted by Berenfield.

Response To Request For Information.

The following responses correspond to the question numbers in the Request.

1. Leonard H. Berenfield
President
Berenfield Containers, Inc.
1229 Castle Drive
Mason, Ohio 45040

Donald Anglim
Vice President of Finance
Berenfield Containers, Inc.
1229 Castle Drive
Mason, Ohio 45040

James R. Ogden
Environmental/Quality Systems Manager
Berenfield Containers, Inc.
31 Railroad Street
Clarendon, Pennsylvania 16313

Andrew L. Kolesar, Esq.
Thompson Hine LLP
312 Walnut Street
Cincinnati, Ohio 45202

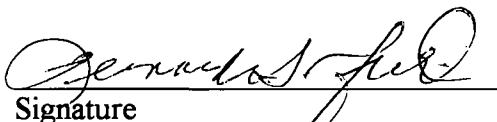
2. See General Statement above.
3. Berenfield is not aware of any other persons who may have information responsive to this Request.

4. The EPA Identification Number for the Berenfield location that is the subject of this Request is PAD002107076.
5. Berenfield has no information in response to this question.
6. See General Statement above.
7. See General Statement above
8. See General Statement above.
9. See General Statement above.
10. There is no statutory authority for this request and it would be very time-consuming and burdensome to produce the information. To the extent information concerning insurance policies and related information becomes relevant, Berenfield will make the information available to EPA to the extent possible based on records in its possession.
11. Based on the currently available information, Berenfield does not appear to be a liable party and, therefore, it is inappropriate to request financial information from Berenfield at this time. In the event that financial information becomes relevant, Berenfield will make the information available to EPA.
12. Berenfield is a corporation. Based on the currently available information, Berenfield does not appear to be a liable party and, therefore, it is inappropriate to request detailed corporate and financial information from Berenfield at this time. In the event that this information becomes relevant, Berenfield will make the information available to EPA.
13. Berenfield is not a partnership.
14. Berenfield is not a trust.

Berenfield has conducted a diligent search of records and interviewed current employees regarding the matters inquired about in the Request. The information submitted is to the best of Berenfield's knowledge and belief true, accurate, and complete. Berenfield is aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Berenfield has conducted a diligent search of records and interviewed current employees regarding the matters inquired about in the Request. The information submitted is to the best of Berenfield's knowledge and belief true, accurate, and complete. Berenfield is aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

FOR BERENFIELD CONTAINERS, INC.:


Signature

Leonard H. Berenfield
Name (Typed)

President
Title (Typed)

Dated as of December 19, 2001

**THOMPSON
HINE**

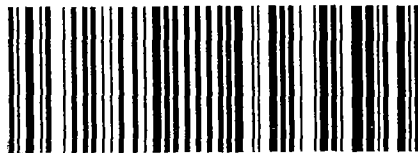
THOMPSON HINE LLP

312 Walnut Street

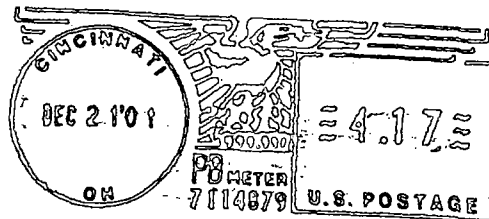
14th Floor

Cincinnati, Ohio 45202-4089

CERTIFIED MAIL



7001 0320 0002 5247 6157



U.S. Environmental Protection Agency
Deena Sheppard-Johnson, SR-6J
Remedial Enforcement Support Section
77 West Jackson Boulevard
Chicago, Illinois 60604